

CITY OF NEWTON, MASSACHUSETTS

PURCHASING DEPARTMENT

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May 2, 2017

ADDENDUM #1

REQUEST FOR PROPOSALS #17-96

REMOVAL AND RESPONSIBLE PROCESSING OF YARD WASTE

THIS ADDENDUM IS TO: **Provide Aerial Photographs of the Work Site and to Answer Items From the Pre-Bid Meeting Along With the Following Questions:**

Q1. Is the fiscal year estimate really 22,000 cubic yards? You would need 733 roll-off loads (30 CY each) hauled per year?

A1. Yes, this is a high estimate that includes a 10% cushion compared to previous years. Estimated total yards collected in 2015 were 20,150 and in 2016 were 20,650. The estimate is provided by the number of loads that were delivered to the Rumford site by Waste Management from curbside collections.

Q2. Are you using roll-offs now, or are you using dump trucks or dump trailers?

A2. Both. There are two 50-yd roll-offs that are swapped out daily. Yard waste is also being ground up (as of 4/29/17) and will be loaded into dump trailers (one 50-yd, one 100-yd).

Q3. Is a 50% performance bond required, even though this is not construction, but rather a service where you could engage a replacement contractor in one day?

A3. The contract is being bid out under M.G.L. c. 149, §39M, pursuant to which a 50% payment bond is required.

Q4. My first question is in regards to the prevailing wages. If the truckers are sub-contracted through Hidden Acres Compost, LLC and are already given \$100+/hour for their services is that sufficient to qualify under the prevailing wages or are sub-contractors subject to other rules? Would their paychecks be in line with the payroll requirements of each week if we just paid them each week and made a copy of the checks?

A4. State prevailing wage law (M.G.L. c. 149, §§26-27) compensation includes health and welfare benefits, pension or annuity contributions and supplemental unemployment. Whether or not a certain dollar amount of trucker compensation meets the requirements of sections 26-27 should be addressed to the state agency that enforces and interprets the law, i.e., the Executive Office of Labor and Workforce Development, Department of Labor Standards (617.626.6953).

Q5. I have 1 full time employee. I will not have any employees at the Rumsford Ave compost site as the trucks will be sub-contracted does my one employee need to be paid prevailing wages even though they are not involved with this process and only operate at the compost site a few hours per week. Most of the time they are off the property doing food waste removal.

A5. If you are awarded the bid, the resulting contract will be between you and the City. There is an exception to the prevailing wage law for sole owner-operators, but you have an employee and will hire subcontractors. Although compost is not fill or gravel and is not construction removal services are compensable under the non-construction section of the law, section 27F including over the road, and will apply to operators of equipment under the contract whether the persons are employed by you or are owner-operators

Q6. Are the other companies bidding on this required to pay prevailing wages to all of their employees or just the ones involved with the bid?

A6. The prevailing wage requirements apply to the contract. The prevailing wage requirements would not apply to the contractor's employees generally.

Q7. Page 34 Summary of work # 3 states that the material must be taken to an Agricultural Compost Operation site as registered with the Department of Agricultural resources. We do have this permit and wondering how strictly it will be followed by other bidders. Will be follow up to meet the guidelines?

A7. Whoever is awarded the contract is required to provide proof that the material will go to a site that has this permit prior to the contract being signed. The City will request verification that the permit is still valid from time to time.

Q8. Page 42 article 12 2. States that subcontracts be made in writing and the contractor shall furnish the commissioner with a copy of all subcontracts on demand. The Subcontracted trucking is an on-call basis due to the infrequency of hauling so in order to get a contract would it be possible to get dates ahead of time in which trucking is required? Or would an hourly contract be acceptable between the trucking companies and Hidden Acres, LLC?

A8. An hourly contract between the subcontractor and the vendor that is awarded the contract would be sufficient.

Q9. How much yard waste is currently handled by the Newton dump?

A9. From 3/27/17 to 4/28/17 there were 85 loads from WM brought to the Rumford site. This is an estimated 780 tons or approximately 2,125 cubic yards of material.

Q10. Can the winning contractor set up a grinding operation on the premises so the material can be ground before it is transported?

A10. Yes, an onsite grinding operation would be considered as long as the space constraints of the City's yard waste operating area are taken into consideration.

Q11. What are the specifications of the yard waste?

A11. All waste must be less than 6" in diameter and less than 4' long. Most waste is contained in standard paper yard waste bags. Accepted materials include: leaves, grass, plants, tree/shrub prunings, twigs, wood chips, and other vegetative matter. Material that is not accepted by the City's collection program includes: wire, plastic, tree stumps, soil, sand, root balls, rocks, or trash.

Q12. Does delivery of yard waste to the dump have seasonal variations? If so, what are they?

A12. Yes. The heaviest times of collection are from late March until early June, and from late October through mid-December.

Q13. How does the contractor know when waste is ready for pick up? Does the City contact it?

A13. Yes. A City official will contact the vendor to arrange pickups. During the heavy collection times, a regular pickup schedule can be arranged. During the summer when collection slows down, pickups would be on an on-call basis.

Q14. Can the contractor load material onto its trucks or is this done by City employees?

A14. The City employees will load trucks or containers.

Q15. How and when is the contractor paid?

A15. The Invitation For Bids asks for a lump sum bid based on the estimated loading and transporting of 22,000 cubic yards of material. An imputed per c.y. price will be determined by dividing a bid by 22,000. The actual amount transported may be more or less than the estimated amount. However much it is, the c.y. price shall be the imputed amount as aforesaid. The contractor shall be paid for materially actually transported in the time and manner as agreed by the parties.

All other terms and conditions of this bid remain unchanged.

**PLEASE ENSURE THAT YOU ACKNOWLEDGE ALL ADDENDA ON YOUR
BID FORM. FAILURE TO ACKNOWLEDGE ALL ADDENDA COULD
RESULT IN REJECTION OF YOUR BID AS NONRESPONSIVE.**

Thank you.

A handwritten signature in black ink that reads "Nicholas Read". The signature is written in a cursive, flowing style.

Nicholas Read
Chief Procurement Officer



Photograph 1. April 3, 2017. Circled area indicates City's operational area for yard waste, approximately 1.6 acres in size. There are no longer any cars parking in this area.



Photograph 2. April 3, 2017. Circled area indicates City's operational area for yard waste, approximately 1.6 acres in size. There are no longer any cars parking in this area.